

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Paul L. Maloney

v.

Case No. 1:21-cr-00124-PLM-1

DEMARI LEPAUL THOMAS-MATHEWS,

Defendant.

_____ /

ORDER OF DETENTION

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged by way of Indictment. The Indictment charges him with two counts of being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1); two counts of possession with intent to distribute cocaine base, in violation of 21 U.S.C. §§ 841 (a)(1) and 841(b)(1)(C); and two counts of possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924 (c)(1)(A)(i).

The government sought defendant's detention on the basis that he is a danger to the community, 18 U.S.C. § 1342(f)(1), and that he poses a risk of non-appearance, 18 U.S.C. § 3142(f)(2)(A). Given the nature of the charges, there is a statutory rebuttable presumption that no condition or combination of conditions will ensure defendant's appearance and the safety to the community. The Court conducted a hearing on July 19, 2021, at which defendant was represented by counsel.

Having considered the evidence presented at the hearing, the parties' oral submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that the government has met its burden of proving by clear and convincing evidence that defendant poses a danger to the community. The Court finds, as explained on the record, that, while defendant rebutted the presumption regarding non-appearance, he failed to rebut the presumption regarding danger to the community. Moreover, the Court independently finds that there is no condition or combination of conditions that will ensure the safety of the community. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending trial.

DONE AND ORDERED on July 20, 2021.

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge